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Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

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Report of the Secretary-General

Summary

In the report to the General Assembly on the financing of Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (A/55/517), the Secretary-General requested resource requirements for 2001 amounting to $112,464,300 gross ($100,180,800 net).

By its resolution 1329 (2000) of 30 November 2000, the Security Council decided to establish a pool of ad litem judges in the International Tribunal for the Former Yugoslavia and to enlarge the membership of the Appeals Chamber of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda. The present report contains the supplementary resource requirements for 2001 for the use of ad litem judges in the International Tribunal for the Former Yugoslavia. The estimated additional requirements would amount to $5,280,900 gross ($4,899,400 net) with additional 54 temporary posts, bringing the total resource requirements of that Tribunal for 2001 to $117,745,200 gross ($105,080,200 net).

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I. Background

1. In his report to the General Assembly on Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (A/55/517), the Secretary-General requested resource requirements for 2001 amounting to $112,464,300 gross ($100,180,800 net).

2. In that report, the Secretary-General stated that the Security Council had yet to take a decision on matters related to changes to the Statute of the Tribunal with respect to establishing a pool of ad litem judges in order to expand the Tribunal's trial capacity. At the same time, the Secretary-General provided, in annex IX to that report, estimated additional resource requirements for the use of six ad litem judges, pending a decision by the Security Council.

3. On 30 November 2000, the Security Council adopted resolution 1329 (2000) by which the Council decided to establish a pool of ad litem judges in the International Tribunal for the Former Yugoslavia and to enlarge the membership of the Appeals Chamber of both the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda. The Security Council amended articles 12, 13 and 14 of the Statute of the International Tribunal for the Former Yugoslavia and articles 11, 12 and 13 of the Statute of the International Criminal Tribunal for Rwanda.

4. Under the new article 12 of the Statute of the International Tribunal for the Former Yugoslavia, Composition of the Chambers, the Chambers shall be composed of sixteen (previously 14) permanent independent judges and a maximum at any one time of nine ad litem independent judges (previously none). The article also stipulates that seven of the permanent judges shall be members of the Appeals Chamber. The revised article 14, Officers and members of the Chambers, includes provisions to the effect that two of the judges to be elected or appointed in accordance with article 12 of the International Criminal Tribunal for Rwanda will be members of the Appeals Chamber. Under article 13 ter, after the Secretary-General invites nominations and the Security Council establishes a list of not less than 54 candidates, the General Assembly, shall elect 27 ad litem judges of the Tribunal for a term of four years. Ad litem judges may be appointed by the Secretary-General upon the request of the President of the Tribunal, to serve in the Trial Chambers for one or more trials, for a cumulative period of up to, but not including, three years.

5. Pursuant to paragraph 4 of Security Council resolution 1329 (2000), the Secretary-General would make practical arrangements for the elections of two additional judges and a pool of 27 ad litem judges and for the timely provision to the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda of personnel and facilities, in particular for the ad litem judges and the Appeals Chambers and related offices of the Prosecutor.

6. The present report contains the additional requirements of the International Tribunal for the Former Yugoslavia for 2001 for the proposed use of six ad litem judges for 2001. The additional resource requirements for six ad litem judges would amount to $5,280,900 gross ($4,899,400 net), including an additional 54 temporary posts, as detailed in annex IX to the proposed budget of the International Tribunal for the Former Yugoslavia for 2001 (A/55/517). The total requirements for 2001, therefore, would amount to $117,745,200 gross ($105,080,200 net). Provisions

related to the proposed two additional judges for the Appeals Chamber are included in the report on the financing of the International Criminal Tribunal for Rwanda (A/55/512/Add.1).

II. Resource requirements

7. The estimated resource requirements would be as follows:

Table 1
Summary of requirements, by object of expenditure
(Thousands of United States dollars)

Assessed budget

Object of expenditure	*(a) 1999 expenditures*	*(b) 2000 appropriations*	*(c) 2001 estimates*	*(d) Additional resource requirements*	*(e) 2001 total requirements (c) + (d)*	*(f) Resource change (e)-(b)*	*(g) Percentage change*
Expenditure							
Temporary posts	41 684.5	48 129.8	46 071.6	1 161.7	47 233.3	(896.5)	-1.9
Other staff costs	3 906.5	9 274.2	7 615.4	694.2	8 309.6	(964.6)	-10.4
Salaries and allowances of judges	2 492.6	2 584.5	3 204.1	638.4	3 842.5	1 258.0	48.7
Consultants and experts	104.4	203.5	230.3	22.2	252.5	49.0	24.1
Travel	3 367.5	4 487.8	5 129.4	537.1	5 666.5	1 178.7	26.3
Contractual services	15 970.9	18 716.4	22 686.8	1 247.1	23 933.9	5 217.5	27.9
Hospitality	1.5	4.0	4.0	-	4.0	-	-
General operating expenses	7 399.2	8 180.4	8 870.6	229.2	9 099.8	919.4	11.2
Supplies and materials	718.3	1 038.5	1 244.4	74.8	1 319.2	280.7	27.0
Furniture and equipment	4 001.7	2 688.2	4 397.0	294.7	4 691.7	2 003.5	74.5
Major construction, alterations	-	640.5	804.4	-	804.4	163.9	25.6
Staff assessment	4 498.5	10 201.6	12 206.3	381.5	12 587.8	2 386.2	23.4
Total expenditures (gross)	**84 145.6**	**106 149.4**	**112 464.3**	**5 280.9**	**117 745.2**	**11 595.8**	**10.9**
Income							
Staff assessment	4 498.5	10 201.6	12 206.3	381.5	12 587.8	2 386.2	23.4
Other income	-	5.2	77.2	-	77.2	72.0	1 384.6
Total requirements (net)	**79 647.1**	**95 942.6**	**100 180.8**	**4 899.4**	**105 080.2**	**9 137.6**	**9.5**

Table 2
Summary of post requirements

Assessed budget

	(a)	*(b)*	*(c)*	*(d)*	*(e)*
	2000	*2001*	*Additional post requirements*	*2001 total (b) + (c)*	*Change (d)-(a)*
Professional category and above					
USG	1	1	-	1	-
ASG	1	1	-	1	-
D-2	1	1	-	1	-
D-1	4	5	-	5	1
P-5	31	32	1	33	2
P-4	95	104	6	110	15
P-3	167	182	8	190	23
P-2/1	120	118	7	125	5
Subtotal	**420**	**444**	**22**	**466**	**46**
General Service and related categories					
Principal level	12	12	-	12	-
Other level	306	352	23	375	69
Security	110	129	9	138	28
Subtotal	**428**	**493**	**32**	**525**	**97**
Total	**848**	**937**	**54**	**991**	**143**

III. Conclusion

8. The additional requirements contained in the present report, which arose from Security Council resolution 1329 (2000) of 30 November 2000, would require an adjustment to the proposals on the financing of the International Tribunal for the Former Yugoslavia, which is shown in paragraphs 60 to 62 and annex X to the proposed budget (A/55/517) for 2001.

9. Accordingly, on the basis of the proposals in the present report, it is estimated that additional resources in the amount of $5,280,900 gross ($4,899,400 net) will be required for the proposed use of ad litem judges in 2001. An additional amount of $381,500 would be required for staff assessment, to be offset by income from staff assessment of the same amount. The total resource requirements for 2001, as proposed by the Secretary-General, would therefore amount to $117,745,200 gross ($105,080,200 net).